

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

June 5, 2014

5:30 P.M.

AGENDA

Present: Mayor James Calnon, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Dale Dowdle (W3), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

Absent:

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on May 22, 2014 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending May 28, 2014 in the amount of \$ **337,995.23** and June 4, 2014 in the amount of \$ _____ are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the weeks of May 22 – June 4, 2014
- Report from the Building Inspector's office May 30, 2014
- Report of the Work Session of the Common Council held on May 15, 2014
- Report from the Parking Violations Bureau for April 2014
- Building Inspector's Tree Report 2014

RESOLVED: That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. **AUDIT OF CLAIMS:**

RESOLVED: That the bills Audited by the Common Council for the weeks ending May 30, 2014 in the amount of \$ 2,430,627.74 and June 6, 2014 in the amount of \$ _____ are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

6. **PERSONS ADDRESSING COUNCIL:**

7. **OTHER ITEMS:**

A. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to increase equally the estimated revenues and budgeted appropriations for 2014 for the asset seizure department by \$141,000 for spending from the restricted cash balance in the General Fund. The attached memo details the accounts to be adjusted in the 2014 General Fund Budget.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

B. RESOLVED: In accordance with the request therefore the Common Council approves that Bid No. 2014-3-1 "St. Lawrence 1 Substation 115kV Breaker Replacement – Phase 3" be awarded to Northline Utilities in the total amount of \$648,000.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

C. RESOLVED: In accordance with the request therefore the Common Council amends the Organizational Meeting Rules from January 2, 2014 to include Appointment of liaison positions to the following departments for the period of June 6, 2014 through December 31, 2014.

Assessor's Office	Councilor Kelly
Building Inspector's Office	Councilor Dowdle
City Clerk's Office	Councilor O'Connell
Engineering Department	Councilor Kretser
Finance Department	Councilor Armstrong
Fire Department	Councilor O'Connell
Municipal Lighting Department	Councilor Kasper
Police Department	Councilor Dowdle
Public Library	Councilor Armstrong
Public Works Department	Councilor Kelly
Recreation Department	Councilor Kretser
Environmental Services/WPCP/WFP	Councilor Kasper

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

D. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to make a budget amendment to the Sewer Fund to appropriate \$94,000 additional funding for Capital Project H8130.59 approved in 5/22/14 CC Resolution.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

E. RESOLVED: that the Memorandum of Agreement between the City of Plattsburgh and IBEW Local #1249 for a five year term retroactive to July 1, 2012 and continuing through June 30, 2017

shall be and hereby is ratified and approved and the Mayor shall be and hereby is authorized to execute a collective bargaining agreement containing its terms on behalf of the City.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

F. RESOLVED: In accordance with the request therefore the Common Council approves the Plattsburgh YMCA to conduct their 10th annual "Tour de Rand Hill" bike race on July 19, 2014.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

G. Resolution authorizing grant application Durkee Street

WHEREAS: The City of Plattsburgh is committed to securing funding to conduct a Feasibility Study on Durkee Street as critical step in moving forward with the redevelopment of this location;

WHEREAS: Funds are available to support feasibility study through the 2014 New York State Consolidated Funding Application through the Empire State Development Fund and the Local Waterfront Revitalization Funds to support such activities;

WHEREAS: The City of Plattsburgh is aware of the match required by these funding sources and agrees to provide the funding and the oversight to execute the grant according to the timeline outlined in the application;

WHEREAS: The City is committed to creating a cross sector committee to advance the findings from the Feasibility Study and to make the investment from New York State worthwhile and sustainable;

RESOLVED: that the Mayor is hereby authorized empowered and directed to accept funds from, and enter into, and execute a project agreement with the State for such financial assistance for the City of Plattsburgh.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

H. Resolution authorizing grant application Beach Feasibility study

WHEREAS: The City of Plattsburgh is committed to securing funding to continue work on the Plattsburgh City Beach Feasibility Study in moving forward with the redevelopment of the City Beach;

WHEREAS: Funds are available to support feasibility study through the 2014 New York State Consolidated Funding Application through the Empire State Development Fund and the Local Waterfront Revitalization Funds to support such activities;

WHEREAS: The City of Plattsburgh is aware of the match required by these funding sources and agrees to provide the funding and the oversight to execute the grant according to the timeline outlined in the application;

WHEREAS: The City is committed to creating a cross sector committee to advance the findings from the Feasibility Study and to make the investment from New York State worthwhile and sustainable;

RESOLVED: The Mayor is hereby authorized, empowered and directed to accept funds from and enter into and execute a project agreement with the State for such financial assistance for the City of Plattsburgh.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

I. RESOLVED: In accordance with the request therefore the Common Council approves Debbie Fredrick to hold the Run to Remember 5k at US Oval and Terry Gordon Bike Path on Saturday August 16, 2014 at 9am to support the Alzheimer's' Disease Assistance Center.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

J. RESOLVED: In accordance with the request therefore the Common Council approves Jacqueline Prather to hold the Plattsburgh YMCA Bright Beginnings Pre-K Moving Up Ceremony at the City Recreation Center on Friday June 27, 2014 from 11:30am-4:30pm.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

K. RESOLVED: In accordance with the request therefore the Common Council approves Clinton Dederick of the Society for Creative Anachronism to hold A Day of Medieval Fun from 8/22-8/24 from 10am-6pm at the park currently known as Waterhouse Park from 10am-6pm.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

**L. RESOLUTION AUTHORIZING SETTLEMENT OF PENDING ARTICLE 7
REAL PROPERTY ASSESSMENT CASES COMMENCED BY ALDI, INC.**

WHEREAS, Aldi, Inc., previously commenced Article 7 Real Property Assessment Review cases for 2012 and 2013 against the City of Plattsburgh concerning a certain parcel located at 328 Cornelia Street, identified as having Tax Map No.: 207.17-1-1, and

WHEREAS, the City's Assessor has recommended a settlement proposal to the City Council,

NOW, THEREFORE, BE IT

RESOLVED, that the Plattsburgh City Council hereby approves the settlement of the pending Article 7 cases against the City of Plattsburgh brought by Aldi, Inc. for 2012 and 2013 concerning the property identified as Tax Map No.: 207.17-1-1 in accordance with the following assessment values:

<u>Year/Petition:</u>	<u>Current Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2012	\$1,747,100	\$1,567,000	\$180,100
2013	\$1,747,100	Unchanged	\$ 0

And BE IT FURTHER,

RESOLVED, that the City Council agrees that the assessment on the property on the 2014 Assessment Roll will be revised to \$1,387,000, which will also be the assessment on the property on the 2015 Assessment Roll, and

BE IT FURTHER,

RESOLVED, that the City Council agrees that the assessment on the property on the 2016 Assessment Roll shall be \$1,567,000, and

BE IT FURTHER,

RESOLVED, that the City Council authorizes and directs payment of any and all refunds without interest, unless interest is ordered by the Court, to Aldi, Inc or its attorneys within sixty (60) days from the date that a Demand for Refunds is served upon the City, and

BE IT FURTHER,

RESOLVED, that the City Council further authorizes and directs the Mayor, City Assessor, Corporation Counsel, and/or Special Counsel to execute settlement documents on behalf of the City and take any additional steps necessary to effectuate the proposed settlement in accordance with the terms of this Resolution.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

M. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign Architectural & Engineering Agreement with AES Northeast, PLLC for Contract # 2014-24"Design and Construction support services associated with the mold removal from the City Marina Building on Dock Street." The cost associated with this service is \$17,298.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

N. RESOLVED: In accordance with the request therefore the Common Council approves Contract # 2014-11 "West Court Street Roadway & Utility Improvements" be awarded to Luck Brothers Inc. for the total cost of \$442,442.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

O. RESOLVED: In accordance with the request therefore the Common Council approves Contract #2014-14GC "Champlain Valley Transportation Museum Bids" HVAC, Plumbing and Electrical, PIN 7804.83, D030445 be awarded as follows:

Gen.Bldg/Site Civil:	Tracey Trombley Construction	\$599,461
Electrical:	William J. Murray Inc.	\$107,000
Mechanical:	L.H. LaPlante Co. Inc	\$ 97,000
Plumbing:	L.H. LaPlante Co. Inc.	<u>\$ 90,000</u>
		\$893,461

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

P. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to establish capital project H3410.37, 2014 Building Improvements for the roof replacement on Fire Station 2 at a cost of \$120,000.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

Q. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to establish capital project H7220.41, 2014 Recreation Facilities for the purchase and installation of lockers at the Crete Brothers Gym at a cost of \$23,000.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves 4 Fire Officers to attend the "Crude by Rail – Emergency Response Training" in Pueblo, Colorado from August 18 – 20, 2014 at an estimated cost not to exceed \$800.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Construction loan for Phase II of Catherine Gardens.
2. Request from the City Chamberlain to process a 2013 property tax credit for payment to Lake City Properties LLC in the amount of \$5,472.86 for an overcharge in the calculation of omitted City and County taxes on its property at 4907 South Catherine Street. The omitted property taxes for the period prior to January 1st, 2013, were calculated based on an incorrect assessment value and are being corrected through return of the overcharge of City and County property taxes to the owner.

3. THE MAYOR HANDS DOWN THE APPOINTMENT OF SHIRLEY O'CONNELL TO THE LIBRARY BOARD FOR THE TERM OF JUNE 19, 2014 TO JUNE 30, 2017.
4. THE MAYOR HANDS DOWN THE APPOINTMENT OF RICHARD SCHAEFER TO THE LIBRARY BOARD FOR THE TERM OF JUNE 19, 2014 TO JUNE 30, 2017.
5. Request from Bill Treacy Manager of MLD to accept PLM's proposal for \$30,000 to perform an ARC Flash Circuit analysis on the Plattsburgh City grid.

10. NEW BUSINESS:

11. CLOSING PUBLIC COMMENTS:

Motion to Adjourn by Councilor _____; Seconded by Councilor _____
Roll call Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

MEETING ADJOURNED: _____